

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Acceleration of Broadband Deployment by)	WT Docket No. 13-238
Improving Wireless Facilities Siting Policies)	
)	
Acceleration of Broadband Deployment:)	WC Docket No. 11-59
Expanding the Reach and Reducing the Cost)	
of)	
Broadband Deployment by Improving Policies)	
Regarding Public Rights of Way and Wireless)	
Facilities Siting)	
)	RM-11688 (terminated)
Amendment of Parts 1 and 17 of the)	
Commission's Rules Regarding Public Notice)	
Procedures for Processing Antenna Structure)	
Registration Applications for Certain)	
Temporary Towers)	
)	WT Docket No. 13-32
2012 Biennial Review of		
Telecommunications Regulations		

COMMENTS OF THE PADRE DAM MUNICIPAL WATER DISTRICT

Padre Dam Municipal Water District (Padre Dam) appreciates the opportunity to provide comments in this rulemaking proceeding. Padre Dam provides critical public services which include safe, clean, and reliable potable water, recycled water and wastewater treatment services to San Diego, California suburbs of Santee, El Cajon, Lakeside, Flinn Springs, Harbison Canyon, Blossom Valley, Alpine, Dehesa and Crest.

The events of September 11, 2001 prompted the enactment of two major laws that addressed the security of the nation's critical infrastructure. The Homeland Security Act of 2002 broadly addressed critical infrastructure protection while the

Bioterrorism Preparedness and Response Act of 2002 specifically aimed at improving the security of drinking water supplies.

Title IV of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (P.L. 107-188, 42 U.S.C. 300i) amended the Safe Drinking Water Act to require community water systems serving more than 3,300 individuals to conduct vulnerability assessments. The water utilities were required to certify and submit a copy of the assessment and emergency response plans incorporating the results of the vulnerability assessment to the EPA.

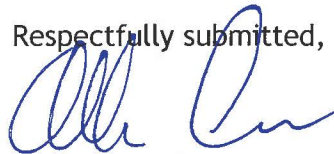
In December 2003, as required by law, a vulnerability assessment and emergency response plan was submitted to the EPA. As a result of the assessment and Padre Dam's commitment to protect the public, Padre Dam chose to implement many of the physical and procedural recommendations identified in the assessment for increasing the security of the water supplies. Some of the physical improvements included adding Constantine wire, additional fencing, locking roof hatches, hatch intrusion switches, latch covers on building locks, and improved lighting. Along with physical improvements the procedural changes included additional training to employees on heightened security awareness and continued background checks on all employees.

In order to address risks to Padre Dam facilities associated with wireless providers and contractors, Padre Dam revised its contract provisions associated with the activities and placement of wireless facilities so that they do not interfere with the operation of our system or create security risks. Examples of items included in our contractual provisions includes limiting the hours the sites may be accessed, increasing monitoring of site activities by contractors, and required "Proper Supervision" from

the wireless provider on its subcontractors. Additionally, Padre Dam does not allow wireless carriers to assign, transfer interest or co-locate on Padre Dam's facilities. The conditions also strictly limit the right of wireless carriers to modify a facility. Mandatory modifications and collocations presents structural, safety and other risks, and are inconsistent with the efforts Padre Dam has made to more strictly control and secure its facilities. Creating and applying uniform federal rules authorizing mandatory collocation and modification rules of Padre Dam property - unless the Commission simply ignored the safety and security concerns and other applicable law - would be difficult if not impossible.

Padre Dam Municipal Water District (Padre Dam) therefore agrees with the FCC that Section 6409 does not apply to the proprietary property of any State or governmental instrumentality, and does not affect the authority of States or any governmental instrumentality to control the use of their property for wireless facilities. It is important for Special Districts like Padre Dam that are responsible to protect its critical infrastructure on its own property that the FCC make this clear in any final order in this proceeding. Padre Dam should have the sole discretion to ensure wireless carriers and contractors on Padre Dam's properties to conduct themselves in a manner that do not compromise Padre Dam's critical missions.

Respectfully submitted,



G. Allen Carlisle
CEO/General Manager

PADRE DAM MUNICIPAL WATER DISTRICT

January 27, 2014